

**IN THE CLAIMS**

Please amend the claims as follows:

1. (Original) A stapler comprising:

a cartridge, wherein connected staples constituted by aligning and connecting a number of staple members in a straight shape are charged in the cartridge;

a striking portion formed with a striking path at a front end portion thereof;

a magazine, wherein the cartridge is mounted in the magazine;

a staple supply mechanism formed in the magazine for supplying the connected staples of the cartridge to the striking portion;

a forming plate that forms the staple member supplied to the striking portion in a C-shape;

a driver plate slidable in the striking path;

a clincher mechanism that folds and bends a leg of the staple member penetrated through sheets to be bound along a back face of the sheets to be bound; and

a movable anvil capable of advancing into the striking path;

wherein the forming plate is capable of forming the staple member which is arranged above the movable anvil advanced into the striking path and the staple member which is successive to the staple member above the movable anvil simultaneously in the C-shape; and

the driver plate strikes out the formed staple in the striking path from the striking path after the forming plate is operated.

2. (Currently Amended) The stapler according to Claim 1, wherein the driver plate is operated in a plane and the forming plate ~~are~~ is operated on in the same plane as the driver plate.

3. (Original) The stapler according to Claim 1, wherein the forming plate is formed by a plate member having a thickness by an amount of substantially two pieces of a width dimension of a section of the staple member; and  
the driver plate is formed by a plate member having a thickness the same as the width dimension of the section of the staple member.

4. (Original) The stapler according to Claim 1, wherein the striking portion is formed at the cartridge.

5. (Cancelled)

6. (Original) The stapler according to Claim 1, further comprising:  
a staple guide that guides the connected staples to the striking portion; and  
a fixed anvil formed at a front end portion of the staple guide.

7. (Currently Amended) The stapler according to Claim 6, wherein the forming plate is capable of simultaneously forming the staple member which is arranged above the movable anvil advanced into the striking path and ~~the~~ a staple member which is arranged on the

fixed anvil successive to the staple member above the movable anvil simultaneously in the C-shape.

8. (New) The stapler according to claim 7, wherein the staple member which is successive to the staple member above the movable anvil is formed in the C-shape on the fixed anvil.